

# Notice of Allowability

Application No.

10/612,918

Examiner

Jimmy T. Nguyen

Applicant(s)

WILLIAMS, KELLY F.

Art Unit

3725

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment after-final filed 8/29/07.
2. ☒ The allowed claim(s) is/are 1-22 and 28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
JIMMY T. NGUYEN  
PRIMARY EXAMINER

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney William Zimmerli on September 27, 2007.

The application has been amended as follows:

**In claim 1, last line:**

The words "therefrom and a flexible material" have been changed to -- outwardly from two sides of the plunger and the movable plunger further including a flexible material --.

**In claim 21, line 7:**

The words "a plurality of fingers extending therefrom" have been changed to -- a central backbone with a plurality of fingers extending outwardly from opposing sides of the central backbone --.

**Claims 23, 24, 25, 26, and 27 have been cancelled.**

### ***Oath/Declaration***

The new Oath/Declaration filed August 29, 2007 has been acknowledged and approved. The correction sufficiently overcomes the objection noted in the previous Office action.

***Allowable Subject Matter***

Claims 1-22 and 28 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a slipsheet compactor *comprising: the movable plunger including a plurality of fingers extending outwardly from two sides of the plunger and the movable plunger further including a flexible material*, in combination with the rest of the claimed limitations.

Claim 4 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a slipsheet compactor comprising: ... *a pair of opposing input rollers located at the entrance to the pre-compression chamber, ...the plunger comprises a plurality of outwardly extending fingers and at least one of the guides has corresponding channels for intermeshing with the fingers*, in combination with the rest of the claimed limitations.

Claim 5 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a slipsheet compactor comprising: .. *the plunger comprises a plurality of outwardly extending fingers and at least one of the input rollers has corresponding channels in the surfaces thereof for intermeshing with the fingers*, in combination with the rest of the claimed limitations.

Claim 7 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a slipsheet compactor comprising: .. *the passageway inwardly tapered at least in a portion in proximity to the exit aperture, and the plunger*

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*comprises a central backbone with plurality fingers extending outwardly from either side of the backbone*, in combination with the rest of the claimed limitations.

Claim 21 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a slipsheet compactor comprising: ... *a moveable plunger including a central backbone with plurality fingers extending outwardly from opposing sides of the central backbone*, in combination with the rest of the claimed limitations.

Claim 22 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a slipsheet compactor comprising: ... *a first one of the input rollers having an arc length exposed in the pre-compression chamber longer than an exposed arc length of a second one of the input rollers, wherein the first one of the input rollers has a coefficient of friction lower than a coefficient of friction of the second one of the input rollers*, in combination with the rest of the claimed limitations.

US 2,686,466 and US 5,910,079 are the closest prior art of record to the instant invention. These references disclose a press for pressing a flat material comprising a chamber having an entrance and an exit, a pair of rollers at the entrance of the chamber for feeding the material into a chamber and a plunger for sweeping a volume of the chamber between the entrance and the exit. But these references fail to disclose or suggest a plurality of fingers on the plunger. Therefore, claims 1, 4, 5, 7, and 21 contain allowable subject matter over these references.

Newly cited US 6,715,410 to Boucher et al. discloses a baler comprising a plunger with a plurality of fingers extending therefrom (fig. 4). But Boucher does not disclose or suggest a pair of opposing input rollers located at the entrance to the pre-compression chamber. Therefore, it is concluded by the Examiner that claims 1-22 and 28 are allowable over the prior art of record.

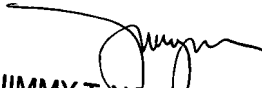
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm with alternating Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTNguyen  
September 28, 2007

  
JIMMY T. NGUYEN  
PRIMARY EXAMINER